



Town of Mesilla, New Mexico

**BOARD OF TRUSTEES
TOWN OF MESILLA
BOARD MEETING
MONDAY, FEBRUARY 23, 2015
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Carlos Arzabal, Mayor Pro Tem
Sam Bernal, Trustee (absent)
Linda L. Flores, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Chris Mangusing, Marshall
Gloria Maya, Recorder

PUBLIC: Sally Williams

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Arzabal, Trustee Flores, Trustee Johnson-Burick.

3. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.

Trustee Flores read letters from Mr. Jim Simonian regarding the Zia Middle School traffic issue. She informed him that she would forward it to Mr. Paul Murphy who is with MPO and has been meeting with the mayor. Mr. Murphy responded that this issue has been brought up before and he was informed that Safe Routes to School could not pay for anything. The funding remains the big question.

Ms. Susan Krueger indicated that Safe Routes to School Program covers junior high schools. We have not moved into any junior high school as of yet. She feels the junior high schools should be covered.

4. CHANGES/APPROVAL OF THE AGENDA

Trustee Johnson-Burick asked to remove Case #012348 from the consent agenda.

1 **Motion: To approve agenda as amended, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**
2 **Flores.**

3 **Roll Call Vote: Motion passed (summary: Yes = 3).**

4 **Mayor Pro Tem Arzabal Yes**

5 **Trustee Flores Yes**

6 **Trustee Johnson-Burick Yes**

7
8 **5. *APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by one**
9 **motion the following items of recurring or routine business. The Consent Agenda is marked**
10 **with an asterisk *:**

11 **Motion: To approve consent agenda as amended, Moved by Mayor Pro Tem Arzabal, Seconded by**
12 **Trustee Flores.**

13 **Roll Call Vote: Motion passed (summary: Yes = 3).**

14 **Mayor Pro Tem Arzabal Yes**

15 **Trustee Flores Yes**

16 **Trustee Johnson-Burick Yes**

- 17
18
 - ***BOT MINUTES** – Regular Meeting of Monday, February 9, 2015. *Approved by consent*
- 19 *agenda*
- 20
 - ***PZHAC Case # 012345** – 2290 Calle de Parian, Suite B; Submitted by Cynthia Anaya for
- 21 “Impressions”, a request to place a wall sign at the business at this location. Zoned Historical
- 22 Commercial (HC). *Approved by consent agenda*
- 23
 - ***PZHAC Case # 012346**– 1948 Calle de Santiago; Submitted by Ken and Lori Dahlstrom
- 24 of “Silver Assets”, a request to replace a set of five rotting window frames at the business
- 25 located at this address. Zoned: Historical Commercial (HC). *Approved by consent agenda*

26
27 **6. *PZHAC Case #012348** – 2900 Avenida de Mesilla, Ste. A; Submitted by Gerry Grandle for

28 Spotted Dog Brewery, a request to add outdoor seating to an existing microbrewery operation

29 located at this address. Zoned: General Commercial (C).

30 Ms. Stoechner-Hernandez asked Mr. Grandle to come forward to address the board.

31
32 Mr. Grandle stated his application is for outside seating in front of his brew pub. It will be 19 ft. 10

33 inches wide and 14 ft. out from the existing porch.

34
35 Mayor Barraza stated additional parking will be provided to accommodate the increase in seating.

36
37 Mayor Pro Tem Arzabal asked where the addition parking will be located.

1
2 Mr. Grandle responded he has taken out a lease for an additional 100 x 120 feet located behind the
3 structure. This will give him approximately 30 parking places which will be enough to accommodate the
4 additional seating and his current parking issue.

5
6 Trustee Johnson-Burick asked who is issuing permits in Mr. Shannon's absence.

7
8 Mayor Barraza responded Ms. Stoechner-Hernandez has taken on that responsibility.

9
10 Trustee Johnson-Burick stated the permit submitted is for a security fence. Nothing is said about an
11 outdoor seating area or patio but it is mentioned in the Board Action Form. There are no specs for the
12 fencing, no comments from Planning and Zoning with regards to the perimeter of the wall/fence whether
13 it meets our ordinances. The design picture in the packet was hard to read. She is not against growth
14 which helps businesses and provides revenue to the town. Certain things are not clear and she wants to
15 ensure that all of our ordinances are being followed so she is comfortable in making her decision.

16
17 Ms. Stoechner-Hernandez responded she did not double check on that as the applicant had already gone
18 over it with Mr. Shannon. The security fence will be behind Shorty's.

19
20 Mr. Grandle responded the security fence will be in the area behind Shorty's and will not be visible from
21 the road since it contains behind a slump block fence which is already in place. The original applications
22 were for a 5 ft. chain link fence in the back parking area and for a 3 ft. 6 inch high black rot iron fence for
23 the outside seating area. Reviewed and explained the plans to the board.

24
25 Trustee Johnson-Burick stated she does not feel comfortable voting since there are more permits being
26 requested which have not been presented to the board.

27
28 Mayor Barraza asked the board to bring any questions during the week to staff so concerns and questions
29 can be answered and clarified.

30
31 Mayor Pro Tem Arzabal asked if the board will only be voting on the security fence for the additional
32 parking.

33
34 Mayor Barraza responded the agenda reads the board will vote on the outdoor seating.

1 Trustee Flores stated she understands Trustee Johnson-Burick’s frustration but feels the information was
2 in out packet so that is what should be voted on. With regards to the Comprehensive Plan, that area is a
3 commercial zone where we say we want to businesses and for that reason she feels comfortable voting on
4 it.

5
6 Ms. Stoechner-Hernandez stated this case can be approve with the condition that Mr. Grandle complete the
7 application to include all the requests.

8
9 Mayor Barraza stated the Board Action Form does address those two items.

10
11 Mayor Pro Tem Arzabal called for the question.

12
13 **Motion: To approve *PZHAC Case #012348 – 2900 Avenida de Mesilla, Ste. A; Submitted by**
14 **Gerry Grandle for Spotted Dog Brewery, a request to add outdoor seating to an existing**
15 **microbrewery operation located at this address. Zoned: General Commercial (C) with the condition**
16 **that the application be completed with the two requests. Mayor Pro Tem Arzabal, Seconded by**
17 **Trustee Johnson-Burick.**

18 **Roll Call Vote: Motion passed (summary: Yes = 3).**

19 **Mayor Pro Tem Arzabal Yes**

20 **Trustee Flores Yes**

21 **Trustee Johnson-Burick Yes**

22
23 **7. NEW BUSINESS:**

24 **a.** For approval: a recommendation to hire the best qualified candidate for the position of
25 Custodial/Maintenance. – **Nora L. Barraza, Mayor.**

26 Mayor Barraza stated the committee which consisted of Ms. Debbie Lujan, Mayor Pro Tem Arzabal, Mr.
27 Sean Lucero and Ms. Stoechner-Hernandez, is recommending Mr. Orlando Orona.

28
29 **Motion: To approve a recommendation to hire Mr. Orlando to the position of**
30 **Custodial/Maintenance, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Johnson-Burick.**

31 **Roll Call Vote: Motion passed (summary: Yes = 3).**

32 **Mayor Pro Tem Arzabal Yes**

33 **Trustee Flores Yes**

34 **Trustee Johnson-Burick Yes**

35

1 **b. For Discussion: the possible implementation of a Local Economic Development Act (LEDA)**
2 **Ordinance for the Town of Mesilla – Nora L. Barraza, Mayor/ Cynthia Stoechner-**
3 **Hernandez, Clerk-Treasurer.**

4 Mayor Barraza stated LEDA will help the small businesses by providing support and possible additional
5 funding. She asked Ms. Stoechner-Hernandez to research the pros and cons. The Town of Mesilla does
6 not have enough parking to support the businesses; LEDA could help by obtaining funding to purchase
7 land.

8
9 Ms. Stoechner-Hernandez stated the pros were greater opportunities, land or building, public works
10 improvements by providing connections to businesses. LEDA could funnel monies to a businesses, etc.,
11 used to keep businesses. Small business could apply for state funding, keep jobs or produce new jobs,
12 increase GRTs. Since our population is less than 10,000 it give us the ability to help retain businesses.

13
14 Trustee Johnson-Burick stated there are 83 communities that have adopted some form of this ordinance.
15 She read where municipalities and counties may need to be able to provide land, building and
16 infrastructure for basic business growth and the introduction of business ventures into the state. She is all
17 about increasing revenue and enhancing quality of life for our residents but where is the land and property
18 going to come from. She is also concerned how this will impact our historical and our zoning ordinances
19 as they stand now. We need to preserve our green belt. We need to seriously look at how we will
20 develop this ordinance since we have certain guidelines. Mesilla is a small community and there are not
21 of areas where we can expand.

22
23 Trustee Flores stated we can pass the ordinance and never use it. This is something to have in our toolbox
24 if something comes up we would have the ability to improve. Mr. John Paul Taylor asked if the town
25 could buy the property from Mr. Lujan to share with the business for parking. We may have been able to
26 do that had we had LEDA. The corridor is in our Comprehensive Plan for Economic Development. This
27 frees us up and give us more leverage for opportunity.

28
29 Mayor Pro Tem Arzabal stated there is a process that will need to be followed if we choose to continue.
30 The public will be invited to voice their concerns.

31
32 Trustee Johnson-Burick stated it is critical that we receive public comments. We do not want to loose
33 what we have that makes Mesilla special and unique. She looked at the appropriations designated over
34 the last few years and lot of it is land. There needs to be a balance among the town, the Comprehensive

1 Plan and LEDA. We do not want to get into a situation where we risk our identity for the sake of a few
2 dollars.

3
4 Mayor Barraza stated the ordinance would definitely need to follow our ordinances and recognize our
5 zones to preserve our community. We want to keep Mesilla as Mesilla. She hopes that this board would
6 never stray from supporting our Comprehensive Plan and Iguana Plan. She asked Ms. Stoechner-
7 Hernandez to go forward on the process in creating an ordinance with regards to LEDA.

8
9 Trustee Johnson-Burick stated there is something in the documentation with regards to building off the
10 Arts and Cultural Designation.

11 Mayor Barraza responded Mesilla is not currently an Arts and Cultural designation which we have been
12 working on this for several years. There is Frontier Community which is more what the Town of Mesilla
13 would go for. Frontier Community does not have funding but there are ways of working with the state for
14 funding. Through the Arts and Cultural the town would have to commit to hire a person that would seek
15 community funding to enhance the project and she did not feel the town was in a position to support that.

16
17 **7. BOARD OF TRUSTEE COMMITTEE REPORTS**

18
19 Mayor Pro Tem Arzabal stated he will meet with Mr. Nevarez the second week in March. They will be
20 working on one for employees and one for elected officials.

21
22 Trustee Flores stated they are hoping to come up funds for the Comprehensive Plan.

23
24 Ms. Stoechner-Hernandez stated that if LEDA is adopted we will be able to access funds through NMFA.

25
26 Mayor Barraza responded it will cost 50k to update the Comprehensive Plan.

27
28 Trustee Flores stated the Comprehensive Plan is outdated.

29
30 Ms. Stoechner-Hernandez responded the last update was in 2004.

31
32 Trustee Johnson-Burick stated she visited with Ms. Krueger to discuss the library proposal. She will
33 bring forth information to the board.

34
35 Mayor Barraza stated she will forward the email she received from David from the City of Las Cruces.

36

1 Trustee Bernal is working with Ms. Parra on the Vecino a Vecino program. Ms. Parra has a Clean and
2 Beautiful Grant that can be used to clean the parks and streets in the community which is the way Vecino
3 a Vecino. We do not how the Vecino a Vecino came about cleaning personal property. The Clean and
4 Beautiful grant does not allow the cleaning of personal property. Trustee Bernal is going to work in
5 conjunction with the Clean and Beautiful and not necessarily cleaning private property.
6

7 **8. BOARD OF TRUSTEE COMMENTS**

8 Trustee Johnson-Burick stated while reviewing the staff reports she saw where a Planning and Zoning
9 commissioner submitted a permit for a resident. She is concerned that this is a potential conflict of
10 interest.
11

12 Mayor Barraza asked if Trustee Johnson-Burick has the copies of the minutes where the commissioner
13 voted and asked that she bring them to Ms. Stoechner-Hernandez for review.
14

15 Trustee Johnson-Burick stated Mr. Jess Williams from Dona Ana County is inviting the board to attend
16 the Dona Ana State of the County Address on Monday, March 9th from 12:15 p.m. to 1:15 p.m. with
17 Commissioner Billy Garrett and Dona Ana County Manager Julia Brown.
18

19 Mayor Pro Tem Arzabal stated he read the paper regarding the University Avenue. As a policy and
20 finance board, when they say it is a fatality waiting to happen, who is going to be liable if all interested
21 parties acknowledge the situation. This concerns him as a resident and board member. The Las Cruces
22 Public Schools is an open district where students can attend any school despite where they live.
23

24 Trustee Flores stated she believes the board approved and supported the cap on interest rates. She feels it
25 is very important and can be help for our community. This is companies sucking New Mexico dry. She
26 is disgusted that the legislature is not forwarding that for a vote. She believes there are two separate bills
27 that they are not going to move forward on. This is tragic to me, as a person who tries to come up with
28 economic development. This is something big for our community; this would put something back in
29 people's pockets. These companies say they do not make money off of 36% interest rate. If they cared
30 about poor people they would not be collecting 300% on loans which she hears is not uncommon. She
31 asked Rep. Bill McCamley if he supported that. She will be asking our legislators to soul searching
32 regarding this issue. Something is wrong with a business that says they are not making money when they
33 charge 36%; something is wrong with their business plan. This is a poor excuse. They are not doing
34 people a favor by sinking them into so much debt. She encourages all the board members to speak to the

1 legislators; appeal to their conscience. One of the MPO's long-term plans is to make a bike and walking
2 path on University Avenue. There will be public discussion on this project.

3
4 Mayor Barraza stated the Las Cruces Sun News was not correct. We are going to Santa Fe for Capital
5 Outlay money for infrastructure within our community. Ms. Lujan and Mr. Shannon worked on an
6 application to submit to the MPO for some Tip or Tap funding. This project of widening and providing
7 sidewalks was brought up 10 years ago. This is a public safety issue; students are walking in the middle
8 of the road. The congestion is crazy. We are trying to take a proactive approach in addressing the
9 problem. The MPO requested that we meet with the Las Cruces Public Schools and Department of
10 Transportation. University Avenue is a state road. We need to work together since it is in our
11 community. We have spoken to EBID in terms of the lateral east of McDowell. We are looking at a
12 multi-use path like the one on Hwy 292 where EBID put the lateral underground. MPO is allocating
13 funding for a traffic study on University Avenue. This project is for 2017-2018; years up the road.
14 Public Hearing will be held if the project goes forth. She has received several phone calls from residents
15 who are concerned. The school district is aware of the student pick up problem and trying to come up
16 with a solution. Many ideas have been brought forth. She read a letter congratulating Molzen-Corbin and
17 the Town of Mesilla for receiving a 2015 Special Project Award for the Plaza and Gazebo improvements.
18 There will be an award ceremony. She and the department heads and some trustees will be going to Santa
19 Fe for Municipal Day. They will be meeting with our legislators to bring up concerns. We did pass a
20 resolution supporting with regards interest rates.

21 22 **9. ADJOURNMENT**

23 **Motion: To adjourn, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Flores.**

24 **Roll Call Vote: Motion passed (summary: Yes = 3).**

25 **Mayor Pro Tem Arzabal Yes**

26 **Trustee Flores Yes**

27 **Trustee Johnson-Burick Yes**

28
29 **MEETING ADJOURNED AT 6:51**

30
31
32 **APPROVED THIS 9TH MARCH, 2015.**

Mayor

1
2
3
4
5
6
7
8
9
10
11
12

ATTEST:

Cynthia Stohner-Hernandez

Town Clerk/Treasurer